



## Walker River Paiute Tribe

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July 6, 2015

Serena McIlwain, EPA Region 9 Disputes Decision Official

Dear Ms. McIlwain,

This letter is to serve as the Walker River Paiute Tribes appeal of the U.S.EPA Region 9 decision not to fund the Walker River Paiute Tribe's Air Monitoring Project for FY 2015-2016. Corey Tom, Air Quality Technician has worked for the Walker River Paiute Tribe for the last 4 years and had worked with Project Officer, Roy Ford to ensure that the Walker River Paiute Tribe did everything required of the grant and its funding. If Mr. Ford had a concern, the Walker River Paiute Tribe would immediately work to correct the issue of concern. Last year was a difficult year regarding the number of issues beyond our control. Corey Tom, Air Quality Tech immediately worked with Mr. Ford to address these issues that we thought were addressed and corrected, such as the Quality Assurance Project Plan for our PM10 monitor. When Mr. Ford brought it to our attention that we needed to submit a new plan for review, this was immediately completed and a Draft was submitted to him and Eugenia McNaughton on May 6, 2015. Roy Ford never sent Mr. Tom the email address for Dave Taylor from EPA. In speaking with Sara Bartholomew, New Project Officer neither Roy nor Eugenia logged these documents in.

The Walker River Paiute Tribe has submitted the air monitoring data into AQS, however, we were below the 75% mark due to Corey's medical absence from employment for 2 months and due to the Tribe servicing the server during Corey's absence that left the port forwarding broken to his computer, therefore leading to no data collection. Upon Corey's return to work after the program ran out of funds during the first Quarter of FY2014, he found that the power had been shut off to the air monitoring site. After restoring power he was not able to bring the site online and needed to have a PA from the TAM's center in Las Vegas NV to come and help but was unable to schedule a visit until the beginning of December 2013 so there was only a couple weeks of data for the first quarter. Upon recommendations from Fletcher Clover with the EPA AQS, he advised to null the data. Shortly after that Mr. Tom was on medical leave for two months and returned to find the server had been serviced and was left outside the fire wall, again there was very little data collected and was advised to null the data. Mr. Tom has been continually afflicted by equipment break downs due to the age of the monitoring machines. You will find attached emails between myself and Mr. Ford as well as Eugenia McNaughton in regards to our reporting as back up to the statements made.

The Grant work plan in question was not brought to Mr. Tom's attention until May 2015. The Grant was submitted by former Environmental Director, Tad Williams. Eight months after the beginning of the FY2014/2015 Mr. Tom was notified that no final work plan was completed. Why was this not brought to

our attention earlier in the year? It appears that the Walker River Paiute Tribe is being penalized for EPA's lack of oversight. We assumed that the Project officers were providing the assistance needed to help succeed in our goals. When it comes to communicating with the Project Officers by phone we are told that our program has been running successfully and the Walker River Paiute Tribe is within compliance.

The Walker River Paiute Tribe would like the U.S. EPA, Region 9 to continue the funding for this program for FY2016 for the Tribal Clean Air Act grant/Air Monitoring to continue monitoring our communities Air Quality.

Contact Information: Bobby D. Sanchez, Tribal Chairman  
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Sincerely,

A handwritten signature in black ink, appearing to read "Bobby D. Sanchez", with a stylized flourish at the end.

Bobby D. Sanchez, Tribal Chairman  
Walker River Paiute Tribe

Cc: Corey Tom, Air Quality Technician